

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BARDY DIAGNOSTICS, INC.,)
Plaintiff, Counter-Defendant)
v.) C.A. No. 24-1355 (JDW)
IRHYTHM TECHNOLOGIES, INC.,)
Defendant, Counter-Plaintiff.)

**DEFENDANT AND COUNTER-PLAINTIFF IRHYTHM, INC.’S MOTION FOR LEAVE
TO FILE FOURTH AMENDED COUNTERCLAIMS AND ANSWER TO PLAINTIFF
AND COUNTER-DEFENDANT BARDY DIAGNOSTICS, INC.**

Pursuant to Rules 15(a)(2) and 16(b)(4) of the Federal Rules of Civil Procedure, Defendant and Counter-Plaintiff iRhythm Technologies, Inc. (“iRhythm”) respectfully requests leave to file its Fourth Amended Counterclaims and Answer against Plaintiff and Counter-Defendant Bardy Diagnostics, Inc. (“Bardy”). iRhythm’s Fourth Amended Counterclaims and Answer (Exhibit A) and corresponding redline pursuant to D. Del. LR 15.1 (Exhibit B) are attached to this Motion. The grounds for this Motion are fully set forth in the accompanying Opening Brief.

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/s/ Brian P. Egan

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September 5, 2025

RULE 7.1.1 CERTIFICATE OF COMPLIANCE

I hereby certify that counsel for the parties discussed the subject of the foregoing motion.

Plaintiff opposes Defendant's motion for leave to file its Fourth Amended Counterclaims and Answer.

/s/ Brian P. Egan

Brian P. Egan (#6227)

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2025, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused to be served copies of the foregoing document on September 5, 2025, upon the following in the manner indicated:

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